

FILED

1 Arturo CHAIREZ
2 CDC No. V-55603
3 C.S.P. 3C03-

08 AUG -5 AM 10: 50

JOHN D. W. DICKERSON
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

5 United States District Court
6 Northern District of California

7
8 Arturo CHAIREZ
9 Petitioner
10 v.
11 M. Adams warden
12 Respondent

CASE No. 07-5767 MHC

Motion to Reconsider its
Decision in Petitioner
Writ of Habeas Corpus

Petitioner Arturo CHAIREZ, Petitioner and
prisoner at Corcoran State Prison and on pro
se, filed a Habeas Corpus Writ untimely.

Petitioner request to this Court to re-
consider its decision and grant Petitioner
to file Petition.

Why Petitioner was untimely and the
challenges he faces on filing his Writ of
Habeas Corpus. Petitioner exposes the following
reasons:

- 25 1.- Petitioner is a citizen of Mexico.
- 26 2.- Petitioner does not speak English.
- 27 3.- Petitioner does not read or write English.
- 28 4.- Petitioner does not have any knowledge

1 of the legal system.

2 5.- Petitioner relied on his Attorney to file
3 his Writ of Habeas Corpus.

4 6.- Petitioner will show to this Court that
5 his Counsel failed to file Petitioner's
6 Writ of Habeas Corpus. (See Exhibit "A"
7 in motion for Extension of time July 16, 2007.)

8 7- Petitioner didn't have the Clerks Transcripts,
9 Reporters Transcripts, Open Brief or Petition
10 Review.

11 8.- Without any Legal Documents, its impossible
12 to file Petitioner's Writ of Habeas Corpus
13 and comply with the timetable.

14 9.- On August 2007, Petitioner relied on The
15 Sixth District Appellant Program for
16 assistance and requested the Reporters trans-
17 cripts, Open Brief and Petition Review Brief
18 in which those documents were sent to
19 Petitioner by the Staff Attorney after
20 due time had expired.

21 10.- Petitioner couldn't understand the Docks
22 sent by this Court. This is why Petitioner
23 couldn't comply with the request of this
24 Honorable Court.

25
26 Petitioner was never notified to explain
27 his delay on his Writ of Habeas Corpus.
28

1 Petitioner requests to this Court to Recon-
2 sider its Decision and Grant Petitioner
3 Relief in this Petition.

4 Verification

5 I Arturo Chairez, Declare under Penalty
6 of Perjury that:

7 I am the Petitioner in the above entitled
8 action. I have read the foregoing documents
9 and know the contents thereof and the
10 same is true of my own knowledge, except
11 as the matters stated therein upon infor-
12 mation, and belief, and as to those matters,
13 I believe them to be true.

14 Date 30/07/08

15 Arturo Chairez
16 Declarant / Prisoner

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9 EXHIBIT
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CERTIFIED SPECIALIST,
APPELLATE LAW
BY THE STATE BAR OF CALIFORNIA
BOARD OF LEGAL SPECIALIZATION

August 7, 2006

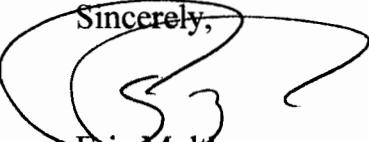
Arturo Chairez
V-55603; 3C03-131U
California State Prison Corcoran
PO Box 3471
Corcoran, CA 93212

Re: Habeas Corpus Proceedings

Dear Mr. Chairez:

I received your letter of July 30, 2006 and have the following suggestion. I will fill out the Federal Habeas Corpus form for you and send it to you to sign and send on to the Federal Court, along with an application for appointment of counsel. That will get the Federal Habeas Corpus proceedings going with the goal of obtaining a new trial for you.

Regarding the transcripts, I suggest that you send them to your family for safe keeping. If that is not practical, you can send them back to me, and I will store them. If the Federal Court does appoint a lawyer to assist you in the Federal Habeas Corpus proceeding, I will send the transcripts to that lawyer.

Sincerely,

Eric S. Multhaup

